**BP 122 Health and Welfare**

The district shall expense the employee only portion health and welfare benefits for employees working full-time positions. Full time positions are established as .80 FTE to 1.0 FTE (Full Time Equivalency). Health and Welfare benefits will not be provided to employees with an assignment of .50 (half time or less). Employees assigned to positions staffed at .51 FTE through the full-time threshold (max incumbent .79 FTE (Full-Time Equivalency) shall be provided a proration of benefits in accordance to FTE assignment. Health and Welfare benefits will be provided in accordance with state and federal law.

Unless otherwise specified in Board Policy or individual contract, ALL classified and certificated management, administrative, teaching and classified support employees shall receive the same group health and welfare benefits as negotiated by AIMS K-12 College Prep and the insurance policy providers.

With respect to eligibility to participate in the health benefits plan or the level of health benefits provided, the district shall not discriminate in favor of employees. For purposes of granting benefits pursuant to state law, a registered domestic partner and his/her child shall have the same rights, protections, and benefits as a spouse and spouse's child. (Family Code [297.5](http://www.gamutonline.net/district/sanleandrousd/displayPolicy/327556/))

The Superintendent or designee shall not use or disclose any medical information the district possesses pertaining to an employee without the employee's authorization obtained in accordance with Civil Code [56.21](http://www.gamutonline.net/district/sanleandrousd/displayPolicy/122392/), except for the purpose of administering and maintaining employee benefit plans and for other purposes specified in law. (Civil Code [56.20](http://www.gamutonline.net/district/sanleandrousd/displayPolicy/122391/))

(AR 311(a) Access to District Records)

Health and Welfare Coverage

Health and Welfare benefits for the purposes of this document are defined as:

* Group Medical Insurance
* Group Dental Insurance
* Group Vision Insurance
* Group Life Insurance

AIMS K-12 provides nationally recognized Dental, Vision and Life insurance. All eligible employees are required to participate in those plans. The only plan for option of participation is the Group Medical Plan.

California Group Medical Plan Participants (residents of California)

ALL classified and certificated management, administrative, teaching and classified support employees shall receive the same group health and welfare benefits as negotiated by AIMS K-12 College Prep and the insurance policy providers. Unless specified by the Board as indicated in this document.

California Group Medical Plan Non-Participants

Cash in Lieu of Medical Coverage

An employee who is eligible for H&W benefits through AIMS, but otherwise provided basic group medical overage, may opt to have AIMS pay $500 per semester, cash in lieu. Such payment shall be in lieu of medical coverage paid by AIMS and shall be initiated only following the employee’s certification of alternative coverage***. (Section V: Benefits and Retirement; 2022-2023 Employee Handbook)***

Out of State Employees (Resident outside of California)

Out of state employees that opt out of Cash in Lieu and would like to participate in a Medical Plan within their state can find a comparable individual plan and AIMS K-12 will either reimburse the employee or establish billing protocols between insurance carriers to direct pay premium cost.

Out of State premium contribution will be allocated up to the same amount for each participating California employee on behalf of medical benefits which represent the employee only cost of the premium. Any cost above this allocated amount will be covered by the employee. This amount will be adjusted with each plan renewal.

Out of state employees will be required to provide AIMS and the medical providers with the waiver to allow the premium cost to be shared in compliance with HIPPA laws.

Continuation of Coverage.

To receive continuation coverage, covered employees and their qualified beneficiaries shall pay the premiums, dues, and other charges, including any increases in premiums, dues, and costs incurred by the district in administering the program. The eligible party will work through a third-party advisor to participate in contused coverage.

Legal Reference:

EDUCATION CODE

[7000](http://www.gamutonline.net/district/sanleandrousd/displayPolicy/129265/)-[7008](http://www.gamutonline.net/district/sanleandrousd/displayPolicy/336653/) Health and welfare benefits, retired certificated employees

[35208](http://www.gamutonline.net/district/sanleandrousd/displayPolicy/131428/) Liability insurance

[35214](http://www.gamutonline.net/district/sanleandrousd/displayPolicy/131431/) Liability insurance (self-insurance)

[44041](http://www.gamutonline.net/district/sanleandrousd/displayPolicy/130511/)-[44042](http://www.gamutonline.net/district/sanleandrousd/displayPolicy/130512/) Payroll deductions for collection of premiums

[44986](http://www.gamutonline.net/district/sanleandrousd/displayPolicy/131092/) Leave of absence, state disability benefits

[45136](http://www.gamutonline.net/district/sanleandrousd/displayPolicy/131791/) Benefits for classified employees

CIVIL CODE

[56.10](http://www.gamutonline.net/district/sanleandrousd/displayPolicy/226443/)-[56.16](http://www.gamutonline.net/district/sanleandrousd/displayPolicy/122390/) Disclosure of information by medical providers

[56.20](http://www.gamutonline.net/district/sanleandrousd/displayPolicy/122391/)-[56.245](http://www.gamutonline.net/district/sanleandrousd/displayPolicy/122396/) Use and disclosure of medical information by employers

FAMILY CODE

[297](http://www.gamutonline.net/district/sanleandrousd/displayPolicy/327555/)-[297.5](http://www.gamutonline.net/district/sanleandrousd/displayPolicy/327556/) Rights, protections and benefits under law; registered domestic partners

GOVERNMENT CODE

[12940](http://www.gamutonline.net/district/sanleandrousd/displayPolicy/146260/) Discrimination in employment

[22750](http://www.gamutonline.net/district/sanleandrousd/displayPolicy/336495/)-[22944](http://www.gamutonline.net/district/sanleandrousd/displayPolicy/336617/) Public Employees' Medical and Hospital Care Act

[53200](http://www.gamutonline.net/district/sanleandrousd/displayPolicy/144860/)-[53210](http://www.gamutonline.net/district/sanleandrousd/displayPolicy/144883/) Group insurance

HEALTH AND SAFETY CODE

[1366.20](http://www.gamutonline.net/district/sanleandrousd/displayPolicy/150218/)-[1366.29](http://www.gamutonline.net/district/sanleandrousd/displayPolicy/288428/) Cal-COBRA program, health insurance

[1367.08](http://www.gamutonline.net/district/sanleandrousd/displayPolicy/573752/) Disclosure of fees and commissions paid related to health care service plan

[1373](http://www.gamutonline.net/district/sanleandrousd/displayPolicy/658825/) Health services plan, coverage for dependent children who are full-time students

[1373.621](http://www.gamutonline.net/district/sanleandrousd/displayPolicy/150390/) Continuation coverage, age 60 or older after five years with district

[1374.58](http://www.gamutonline.net/district/sanleandrousd/displayPolicy/352291/) Coverage for registered domestic partners, health service plans and health insurers

INSURANCE CODE

[10128.50](http://www.gamutonline.net/district/sanleandrousd/displayPolicy/369737/)-[10128.59](http://www.gamutonline.net/district/sanleandrousd/displayPolicy/369746/) Cal-COBRA program, disability insurance

[10277](http://www.gamutonline.net/district/sanleandrousd/displayPolicy/573754/)-[10278](http://www.gamutonline.net/district/sanleandrousd/displayPolicy/573755/) Group and individual health insurance, coverage for dependent children

[10604.5](http://www.gamutonline.net/district/sanleandrousd/displayPolicy/573756/) Annual disclosure of fees and commissions paid

[12670](http://www.gamutonline.net/district/sanleandrousd/displayPolicy/399512/)-[12692.5](http://www.gamutonline.net/district/sanleandrousd/displayPolicy/399534/) Conversion coverage

LABOR CODE

[2800.2](http://www.gamutonline.net/district/sanleandrousd/displayPolicy/395600/) Notification of conversion and continuation coverage

UNEMPLOYMENT INSURANCE CODE

[2613](http://www.gamutonline.net/district/sanleandrousd/displayPolicy/369748/) Education program; notice of rights and benefits

UNITED STATES CODE, TITLE 1

7 Definition of marriage, spouse

UNITED STATES CODE, TITLE 26

105 Self-insured medical reimbursement plan; definition of highly compensated individual

[4980B](http://www.gamutonline.net/district/sanleandrousd/displayPolicy/573862/) COBRA continuation coverage

UNITED STATES CODE, TITLE 29

[1161](http://www.gamutonline.net/district/sanleandrousd/displayPolicy/336307/)-[1168](http://www.gamutonline.net/district/sanleandrousd/displayPolicy/336344/) COBRA continuation coverage

UNITED STATES CODE, TITLE 42

300gg-16 Group health plan; nondiscrimination in favor of highly compensated individuals

[1395](http://www.gamutonline.net/district/sanleandrousd/displayPolicy/336346/)-[1395g](http://www.gamutonline.net/district/sanleandrousd/displayPolicy/336360/) Medicare benefits

CODE OF FEDERAL REGULATIONS, TITLE 26

54.4980B-1-54.4980B-10 COBRA continuation coverage

CODE OF FEDERAL REGULATIONS, TITLE 45

[164.500](http://www.gamutonline.net/district/sanleandrousd/displayPolicy/335440/)-[164.534](http://www.gamutonline.net/district/sanleandrousd/displayPolicy/335456/) Health Insurance Portability and Accountability Act (HIPAA)

Management Resources:

INTERNAL REVENUE SERVICE NOTICES

2011-1 Affordable Care Act Nondiscrimination Provisions Applicable to Insured Group Health Plans

WEB SITES

CSBA: [http://www.csba.org](http://www.csba.org/)

California Employment Development Department: [http://www.edd.ca.gov](http://www.edd.ca.gov/)

Internal Revenue Service: [http://www.irs.gov](http://www.irs.gov/)

U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services: [http://www.cms.gov](http://www.cms.gov/)

U.S. Department of Labor: [http://www.dol.gov](http://www.dol.gov/)